



**DECLARATION AND POWER OF ATTORNEY FOR  
UNITED STATES PATENT APPLICATION**

As a below-named inventor, I hereby declare that:

My residence, post-office address and citizenship are as stated below next to my name.

I believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**ENHANCEMENT OF ANGIOGENESIS TO GRAFTS USING CELLS ENGINEERED TO PRODUCE  
GROWTH FACTORS**

the specification of which was filed on January 28, 2004 and assigned Application No. 10/766,642

I hereby state that I have reviewed and understand the contents of the above-identified application specification, including the claims, as amended by any amendment specifically referred to herein.

I acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

**FOREIGN PRIORITY CLAIM**

I hereby claim foreign priority benefits under Title 35, United States Code §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

- no such foreign applications have been filed.

**CLAIM FOR BENEFIT OF EARLIER U.S. PROVISIONAL APPLICATION(s)**

I hereby claim priority benefits under Title 35, United States Code §119(e), of any United States provisional patent application(s) listed below:

- such U.S. provisional applications have been filed as follows:

Application Number	Date of Filing (month, day, year)	Priority Claimed Under 35 USC 119(e)
60/443,129	01/28/2003	<u>X</u> Yes No _____
		_____ Yes No _____
		_____ Yes No _____

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(s)

I hereby claim the benefit under Title 35, United States Code §120, of the United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United State Code, §112, I acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56, and which became available to me between the filing date of the prior application and the national or PCT international filing date of this application:

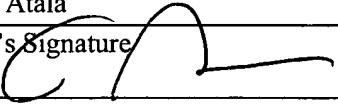
no such U.S./PCT applications have been filed.

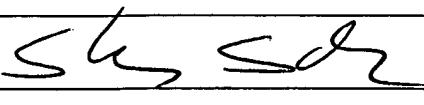
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the practitioners at Customer No. 021125 of Nutter McClellan & Fish, LLP, World Trade Center West, 155 Seaport Boulevard, MA 02210-2604, jointly, and each of them severally, my attorneys at law/patent agent(s), with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith.

Please mail correspondence to: Thomas Engellenner, Esq. and direct telephone calls to: Thomas J. Engellenner, Esq. at (617) 439-2948. Please direct facsimiles to: (617) 310-9948 at **Customer Number 021125**, whose address is:

Nutter McClellan & Fish, LLP  
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